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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 SCOTT DAVID WEST,
15 Defendant.

Case No. 2:11-CR-00331-APG-CWH-1

**UNOPPOSED MOTION FOR
LEAVE TO FILE UNDER SEAL
(EXHIBIT A)**

16
17 Scott West, through undersigned counsel, files this Unopposed Motion for Leave to file
18 Under Seal an Unopposed Motion to Seal ECF No. 63, which is attached as Exhibit A. *See*
19 Local Rule IA 10-5.

20 Though there is a presumption of public access to documents filed with the Court, a
21 party may overcome this presumption by articulating compelling reasons supported by specific
22 factual findings why the document at issue should be sealed. *Kamakana v. City & Cty. of*
23 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). This Court, in its discretion, and when
24 compelling reasons are shown, may order documents filed under seal. *See Nixon v. Warner*
25 *Comm'ns, Inc.*, 435 U.S. 589, 599 (1978) (recognizing “the decision as to [public access to
26

documents] is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case”).

The Unopposed Motion to Seal ECF No. 63, attached as Exhibit A, contains detailed and sensitive information regarding Mr. West’s legal proceedings. Both parties agree this information should not be filed on the public docket.¹ Accordingly, Mr. West respectfully requests the Court order Exhibit A, the Unopposed Motion to Seal ECF No. 63, be filed under seal for the Court’s consideration.

DATED this 3rd day of May, 2022.

RENE L. VALLADARES
Federal Public Defender

By: /s/ Jacquelyn N. Witt

JACQUELYN N. WITT
Assistant Federal Public Defender
Attorney for Scott David West

IT IS SO ORDERED:

Dated: May 4, 2022



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

¹ Undersigned counsel has spoken with government counsel and confirmed the government has no opposition to this motion.